



DT05 Rec'd PCT/PTO 05 AUG 2002 #3
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Ineke Sweeney
Name
Ineke Sweeney
Signature of Attorney or Agent

Case 8279

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of :
KEVIN JOE FIELDS, ET AL. : Confirmation No.:
Serial No.: 10/089,337 : Group Art Unit:
Filed: March 27, 2002 : Examiner

For TEMPERATURE CHANGE PUCH WITH DISPENSING CHAMBER

INFORMATION DISCLOSURE STATEMENT

Assisant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, record is being made below in a Form PTO/SB08 of documents which the Patent Office may wish to consider in connection with examination of the above-identified patent application. It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case. As provided in §1.97(g), no representation is made or intended that a thorough art search was made. As provided in 37 C.F.R. §1.97(h), this Information Disclosure Statement does not constitute an admission of any kind, and specifically is not an admission that the documents listed on attached form PTO/SB08 are, or are considered to be, material to the patentability of the above-identified patent application, as defined in 37 C.F.R. §1.56(b).

1. ☐ 37 C.F.R. §1.97 (b)(1) - U.S. Direct (within 3-months of filing a regular application or converted provisional)

This information disclosure statement, submitted under 37 C.F.R. §1.97 (b)(1), is being filed within three months of the filing date of a national application. Therefore, no fee is believed to be due.

2. ☐ 37 C.F.R. §1.97 (b)(2) - Via PCT (within 3 mo. of Nat'l Stage Entry)

This information disclosure statement, submitted under 37 C.F.R. §1.97 (b)(2), is being filed within three months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application. Therefore, no fee is believed to be due.

3. ☒ 37 C.F.R. §1.97 (b)(3) - (>3 mo. after filing direct or nat'l stage entry, but before 1st O.A.)

This information disclosure statement is being submitted under 37 C.F.R. §1.97 (b)(3). Applicants have not received an Office Action on the merits in the present application. Therefore, no fee is believed to be due. However, in the event that this paper is crossing in the mail with a first Office Action on the merits, authorization is hereby given to charge the required fee pursuant to 37 C.F.R. §1.97(c) and 37 C.F.R. §1.17(p) to Deposit Account No. 16-2480 in the name of The Procter & Gamble Company. A duplicate of this letter is enclosed to facilitate charging of the fee, if necessary.

THE FOLLOWING IS ADDITIONAL INFORMATION PERTAINING TO (2) OR (3) MARKED WITH AN (X) ABOVE.

(a) ☒ The Notification of Acceptance of this Application Under 35 U.S.C. §371 indicates that both a copy of the International Search Report and copies of the references cited therein are present in the national stage file. In accordance with MPEP §1893.03(g), it is respectfully requested that the Examiner note the consideration of these references in the first Office Action via the PTO-892 form.

(b) ☐ The Notification of Acceptance of this Application Under 35 U.S.C. §371 indicates that a copy of the International Search Report is present in the national stage file. Copies of the references cited in that report are enclosed.

(c) ☐ The Notification of Acceptance of this Application Under 35 U.S.C. §371 does not indicate that a copy of the International Search Report and copies of the references cited are present in the national stage file. Copies of the International Search Report and references are attached.

4. ☐ 37 C.F.R. §1.97 (b)(4) - (before the mailing of a first Office Action after the filing of a request for continued examination under §1.114)

This information disclosure statement, submitted under 37 C.F.R. §1.97(b)(4), is being filed with the Request for Continued Examination (RCE) under 37 C.F.R. §1.114.

5. ☐ Information to be Considered with CPA Filing. This information disclosure statement is being filed with a Continued Prosecution Application (CPA) filed under 37 CFR 1.53(d).

6. ☐ 37 C.F.R. §1.97(c) with fee payment - (use after 1st Office Action & before Final Office Action or Notice of Allowance)

This information disclosure statement is being submitted under 37 C.F.R. §1.97(c). Applicant(s) have not received a final action under 37 C.F.R. §1.113, a notice of allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in the application (e.g., *Ex parte Quayle*) as of the date of this submission. Applicant(s) elect to pay the fee set forth in 37 C.F.R. §1.17(p). Please charge the fee set forth in 37 C.F.R. §1.17(p) to Deposit Account Number 16-2480 in the name of The Procter & Gamble Company. A duplicate copy of this letter is enclosed to facilitate the charging of the fee.

ADDITIONAL ITEMS TO BE NOTED BY THE EXAMINER:

☐ (1) Copies of the cited references were previously cited by or submitted to the USPTO in prior application Case No. ____, U.S. Patent Application Serial No. __, filed __. Applicants claim priority to said application under 35 U.S.C. §120. Accordingly, copies of those documents are not provided with this Statement, pursuant to 37 C.F.R. §1.98(d).

OR

☒ (2) Copies of the cited documents are enclosed.

OR

☐ (3) Copies of all said documents, except document No.'s _____, were submitted and considered in parent application U.S. Patent Application Serial No. _____, filed _____. Applicant(s) claim priority to said application under 35 U.S.C. §120. Accordingly, copies of document No.'s _____ are not provided with this Statement, pursuant to 37 C.F.R. §1.98(d). Copies of document No.'s _____ are enclosed. It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case.

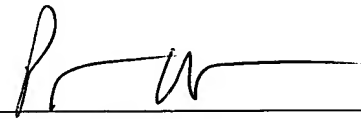
☐ (4) Pursuant to 37 C.F.R. §1.98(c), a concise explanation of the relevance of each cited reference that is not in the English language is provided.

☐ (5) Applicants also respectfully request the Examiner to consider and make of record the copending applications listed on the attached page.



Additional information is attached.

Respectfully submitted,

By 

Peter D. Meyer
Attorney for Applicants
Registration No. 47,792
(513) 634-9359

Date: August 1, 2002


Customer No. 27752

COPENDING APPLICATIONS

Entire copies of all co-pending applications (or the portion of the application and claims that caused it to be cited) must be sent with the IDS (see 37 CFR 1.98(a)(2)(iii))

<u>Atty. Docket No.</u>	<u>Serial Number</u>	<u>Inventor(s)</u>	<u>Filing Date</u>
8276	10/089,350	Manske, Jr., et al.	March 27, 2002
8277	10/089,332	Gruenbacher, et al.	March 27, 2002
8278	10/089,351	Gruenbacher, et al.	March 27, 2002

[ones that are pending at time of this filing; others that have issued get cited on the PTO/SB08.]


 Patent & Trademark Office
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Substitute for form 1449A/PTO

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SHEET 1 of 2

COMPLETE IF KNOWN

Application Number	10/089,337
Confirmation Number	
Filing Date	March 27, 2002
First Named Inventor	Kevin Joe Fields
Group Art Unit	
Examiner Name	
Attorney Docket Number	8279

U. S. PATENT DOCUMENTS

EXAMINER INITIALS*	Cite No. ¹	DOCUMENT NUMBER Number - Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
	1	2,209,914	07/30/1940	Gerber, et al.	
	2	2,707,581	05/03/1955	Kaplan, et al.	
	3	2,790,982	05/07/1957	Schneider	
	4	2,945,250	07/19/1960	Worthington	
	5	2,961,677	11/29/1960	Zecchini, et al.	
	6	3,053,385	09/11/1962	Spees	
	7	3,060,486	10/30/1962	Lewis	
	8	3,324,500	06/13/1967	Fuller, et al.	
	9	3,485,562	12/23/1969	Hidden, et al.	
	10	3,608,708	09/28/1971	Storandt	
	11	3,636,922	01/25/1972	Ketner	
	12	3,757,782	09/11/1973	Aiken	
	13	3,768,916	10/30/1973	Avery	
	14	4,148,318	04/10/1979	Meyer	
	15	4,430,013	02/07/1984	Kaufman	
	16	4,510,640	04/16/1985	Omori	
	17	4,537,819	08/27/1985	Schortmann, et al.	
	18	4,563,103	01/07/1986	Van Overloop, et al.	
	19	4,596,481	06/24/1986	Tanaka	
	20	4,600,620	07/15/1986	Lloyd, et al.	

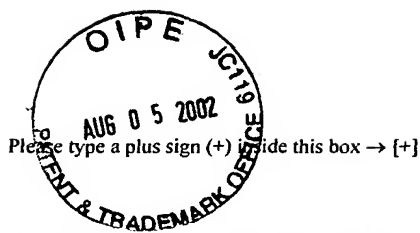
FOREIGN PATENT DOCUMENTS

FOREIGN PATENT DOCUMENT						Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T ⁶
EXAMINER INITIALS*	Cite No. ¹	Country Code ³	Number ⁴	Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY		
EXAMINER						DATE CONSIDERED	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, D.C. 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, D.C. 20231.**



PTO/SB08A (10-01)

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<p style="text-align: center;">Substitute for form 1449A/PTO</p> <h2 style="text-align: center;">INFORMATION DISCLOSURE STATEMENT BY APPLICANT</h2> <p style="text-align: center;">(use as many sheets as necessary)</p> <p>SHEET 2 of 2</p>	<p style="text-align: center;">COMPLETE IF KNOWN</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Application Number</td> <td>10/089,337</td> </tr> <tr> <td>Confirmation Number</td> <td></td> </tr> <tr> <td>Filing Date</td> <td>March 27, 2002</td> </tr> <tr> <td>First Named Inventor</td> <td>Kevin Joe Fields</td> </tr> <tr> <td>Group Art Unit</td> <td></td> </tr> <tr> <td>Examiner Name</td> <td></td> </tr> <tr> <td>Attorney Docket Number</td> <td>8279</td> </tr> </table>	Application Number	10/089,337	Confirmation Number		Filing Date	March 27, 2002	First Named Inventor	Kevin Joe Fields	Group Art Unit		Examiner Name		Attorney Docket Number	8279
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	21	4,696,593	09/29/1987	Bayless	
	22	4,759,472	07/26/1988	Strenger	
	23	4,762,124	09/09/1988	Kerch, et al.	
	24	4,902,283	02/20/1990	Rojko, et al.	
	25	4,958,881	09/25/1990	Piros	
	26	5,008,969	04/23/1991	Jarrett	
	27	5,090,832	02/25/1992	Rivera, et al.	
	28	5,100,028	03/31/1992	Seifert	
	29	5,127,127	07/07/1992	Jarosinski	
	30	5,195,658	03/23/1993	Hoshino	
	31	5,380,110	01/10/1995	Festa	
	32	5,411,178	05/02/1998	Roders, et al.	
	33	5,441,355	08/15/1995	Moore	
	34	5,454,207	10/03/1995	Storandt	
	35	5,490,736	02/13/1996	Haber, et al.	
	36	5,558,874	09/24/1996	Haber, et al.	
	37	5,616,201	04/01/1997	Finch, et al.	
	38	5,636,406	06/10/1997	Strong	
	39	5,681,574	10/28/1997	Habert, et al.	
	40	5,829,089	11/03/1998	Steadman	
	41	5,957,605	09/28/1999	Cohen, et al.	
	42	6,305,044	10/23/2001	James, et al.	

FOREIGN PATENT DOCUMENTS

EXAMINER INITIALS*	Cite No. ¹	FOREIGN PATENT DOCUMENT			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T ⁶
	43	Country Code ³	Number ⁴	Kind Code ⁵ (if known)	12/07/1988	Jaypak Limited		
	44	DE	3,535,926 A1		07/02/1987	A. Fruhauf		
EXAMINER						DATE CONSIDERED		

EXAMINER: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

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